

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                           |   |                         |
|---------------------------|---|-------------------------|
| _____                     | ) |                         |
| UNITED STATES OF AMERICA, | ) |                         |
| Petitioner,               | ) |                         |
|                           | ) |                         |
| v.                        | ) | M.B.D. No. 05-10257-JGD |
|                           | ) |                         |
| JOSEPH E. DALY,           | ) |                         |
| Respondent.               | ) |                         |
| _____                     | ) |                         |

**MOTION TO WITHDRAW PETITION**  
**TO ENFORCE INTERNAL REVENUE SERVICE SUMMONS**

The United States of America, on behalf of its agency, the Internal Revenue Service, and by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves this Court to withdraw its Petition to Enforce Internal Revenue Summons which was filed with this Court.

On September 7, 2005, this Court issued an Order Enforcing Internal Revenue Service Summons for the respondent to appear before a Revenue Officer on September 16, 2005.

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The petitioner now seeks to withdraw its petition because the respondent has complied with the Internal Revenue Service Summons.

Respectfully submitted:

MICHAEL J. SULLIVAN,  
United States Attorney

By: /s/Patricia M. Connolly  
PATRICIA M. CONNOLLY  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way - Suite 9200  
Boston, MA 02210  
(617) 748-3282

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the parties of record a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Joseph E. Daly  
181 Summer Street  
Malden, MA 02148

/s/ Patricia M. Connolly  
ASSISTANT UNITED STATES ATTORNEY

Dated: October 21, 2005